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7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 Aspen Building Technology, Inc., on
behalf of itself and all others situated,

12 Plaintiff,

13 v.

14 LG-Philips LCD Co. Ltd., LG Philips LCD
15 America, Inc.; Samsung Electronics Co.
Ltd.; Sharp Corporation; Sharp Electronics
16 Corporation; Toshiba Corporation Toshiba
Matsushita Display Technology Co., Ltd.;
17 Hitachi Ltd.; Hitachi Displays, Ltd.;
Hitachi America Ltd.; Hitachi Electronic
18 Devices (USA), Inc.; Epson Imaging
Devices Corporation; NEC Corporation;
19 NEC LCD Technologies, Ltd.; NEC
Electronics America, Inc.; IDT
20 International Ltd.; AU Optronics;
International Display Technology Co.,
21 Ltd.; International Display Technology
USA Inc.; AU Optronics Corporation
22 America; Chi Mei Optoelectronics; Chi
Mei Optoelectronics USA, Inc.; Chunghwa
23 Picture Tubes Ltd.; and Hannstar Display
Corporation,

24 Defendants.
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Case No. 07-CV-2995

**STIPULATION AND ORDER FOR
EXTENSION OF TIME**

Honorable Jeffrey S. White

STIPULATION FOR EXTENSION OF TIME

WHEREAS plaintiff filed a complaint in the above-captioned case on or about June 8, 2007;

WHEREAS plaintiff alleges antitrust violations by manufacturers of Liquid Crystal Display ("LCD") products;

WHEREAS more than one hundred and thirty complaints have been filed to date in federal district courts throughout the United States by plaintiffs purporting to bring class actions on behalf of direct and indirect purchasers alleging antitrust violations by manufacturers of LCD products (collectively, "the LCD Cases");

WHEREAS on March 29, 2007, the Judicial Panel on Multidistrict Litigation ("JPML") heard argument regarding a motion to transfer approximately 20 of the LCD cases to a single district for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407;

WHEREAS on April 17, 2007, the JPML issued an order (a true and correct copy of which is attached as Exhibit A) providing that (1) the 20 LCD cases that were the subject of the initial motion to consolidate involve common questions of fact; (2) centralization under 28 U.S.C. § 1407 will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation; (3) centralization is necessary to eliminate duplicative discovery, prevent inconsistent pretrial rulings, and conserve the resources of the parties, their counsel and the judiciary; (4) ordering the transfer of the cases to the Honorable Susan Y. Illston in the United States District Court for the Northern District of California ("the MDL transferee court") for coordinated or consolidated pretrial proceedings and (5) designating over 100 additional related actions (including this action), as potential tag-along actions per JPML ruled 7.4 and 7.5;

WHEREAS plaintiff anticipates the possibility of Consolidated Amended Complaints in the LCD Cases;

WHEREAS plaintiff and Hitachi America, Ltd. ("HAL") and Hitachi Electronic Devices (USA), Inc. ("HED-US") have agreed that an orderly schedule for any response to the pleadings in the LCD Cases would be more efficient for the parties and for the Court;

WHEREAS plaintiff agrees that the deadline for HAL and HED-US to respond to the

1 Complaint shall be extended until the earlier of the following two dates: (1) forty-five days after
2 the filing of a Consolidated Amended Complaint in the LCD Cases; or (2) forty-five days after
3 plaintiff provided written notice to HAL and HED-US that plaintiff does not intend to file a
4 Consolidated Amended Complaint, provided that such notice may be given only after the initial
5 case management conference in the MDL transferee court in this case;

6 WHEREAS plaintiff further agrees that this extension is available, without further
7 stipulation with counsel for plaintiff, to all named defendants who notify plaintiff in writing of
8 their intention to join this extension;

9 WHEREAS this Stipulation does not constitute a waiver by HAL and HED-US or any
10 defendant of any defense, including but not limited to the defenses of lack of personal or subject
11 matter jurisdiction, insufficiency of process, insufficiency of service of process, or improper
12 venue.

13 PLAINTIFF AND DEFENDANTS HAL AND HED-US, BY AND THROUGH THEIR
14 RESPECTIVE COUNSEL OF RECORD, HEREBY STIPULATE AS FOLLOWS:

15 1. The deadline for the HAL and HED-US to respond to the Complaint shall be
16 extended until the earlier of the following two dates (1) forty-five days after the filing of a
17 Consolidated Amended Complaint in the LCD Cases; or (2) forty-five days after the plaintiff
18 provides written notice that he does not intend to file a Consolidated Amended Complaint,
19 provided that such notice may be given only after the initial case management conference in the
20 MDL transferee court in this case.

21 2. This extension is available, without further stipulation with counsel for plaintiff or
22 further order of the Court, to all named defendants who notify plaintiff in writing of their
23 intention to join this extension.

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3. This Stipulation does not constitute a waiver by HAL and HED-US or any defendant of any defense, including but not limited to the defenses of lack of personal or subject matter jurisdiction, insufficiency of process, insufficiency of service of process, or improper venue.

IT IS SO STIPULATED.

Dated: 6-14-07

Signature: [Signature]

Lori E. Andrus
Micha Star Liberty
Jennie Lee Anderson
Andrus Liberty & Anderson LLP
1438 Market Street
San Francisco, CA 94102

Counsel for Plaintiff Aspen Building
Technology, Inc.

Dated: 6-15-07

Signature: [Signature]

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Counsel for Defendants
Hitachi America, Ltd. and Hitachi Electronic
Devices (USA), Inc.

SO ORDERED: _____